

A  
SHIELD

Against the  
Parthian Dart,  
OR, A  
WORD to the Purpose,  
SHOT INTO  
Wallingford-House.

Answered in Defence of the present  
ACTIONS of STATE here in *England*, that produced  
the late Change of GOVERNMENT.

---

By J. STREATER.

---

Printed in the Year, 1659.

211 E 1 D

111 E 1 D

111 E 1 D

111 E 1 D

111 E 1 D

111 E 1 D

111 E 1 D

111 E 1 D

111 E 1 D

111 E 1 D

111 E 1 D

111 E 1 D

111 E 1 D

111 E 1 D

111 E 1 D

111 E 1 D

## A Shield against the *Parthian Dart*.

**P**Age the 10th, the Authour hath this Quære, upon which he raiseth his Insuing Discourse, *viz.* Whether the Men met together at *Westminster*, where the *Commons* use to meet, be at this day a *Lawfull Parliament*, according to the Fundamental Laws of this Nation, to bind the People to obey their Commands?

He admitteth, That power derived from the People, createth a Supremacy; and that it is fixed somewhere there, in one or more; and that the *Commons* did, and had power to, Elect a Representative; though they were formerly known by no other names then Petitioners. I shall briefly answer every particular; and then Assert a general defence of the now-Sitting of the Parliament at *Westminster*; whom God direct, and preserve.

That the *Commons* were sometimes Petitioners to the Kings of this Nation, I grant; but from thence it is not to be inferr'd, That what they petitioned for, if it were refused by the King, that they could not command it: they never petitioned the King but in case of obstinacy; as in the case of the *Petition of Right*: the Parliament when they could not draw the King to consent to the thing propounded by Argument, they did by Prayer entreat or Petition. Although they did so, it doth not therefore argue, That the King's power was superiour to the Parliament; for that the Kings power of Consenting to the Passing of Acts of Parliament, was no other than as if *A.* should make a Letter of Attorney to *B.* *B.* refuseth to Act by that Authority *A.* giveth him by vertue of that Letter of Attorney: therefore he intreateth and prayeth *B.* to accept of the Letter of Attorney, and to act by it: *B.* consulteth his own Interest, and saith, If it be made in such and such'a manner and

A 2

form,



form, I will act by it. *A.* finding that *B.* is the fittest person either living upon the place where it is to be put in Execution, or for some other Reasons, condescendeth to *B.* Even so, hath it been in times past between the King and the people. The People Represented in Parliament, make Laws or Letters of Attorney to their standing Officer, the King, for which he received his Fees, the Revenues of the Crown, and was their Attorney: He having by several descents gained footing upon the Interest of the People, standeth upon his Terms, and will not accept of Laws made in this manner, or in that manner, but consulteth his own Interest: the Parliament seeing that it is convenient to have their Attorney's Consent or Opinion, do apply themselves to him by Petition or Intreaty. This doth not argue, but that the power is in those who Grant or Appoint; and, that he that is to put it in Execution, is any other but the Inferiour to that power: the Petition or Intreaty doth not make him Superior. To this purpose, see Sir *Ed. Coke*, chap. *High-Courts of Parliament*, folio 14. The Lords and Commons in Parliament, upon demand of Ayl in the behalf of the King by any new Device; answered, That they tendered the King's Estate, but they could not consent to this new device, without Conference with their Counties, for which they served; This (saith he) is the ancient Custome of Parliaments, and it is according to Law.

That the Great Council of the *Commons* is much more Ancient than these Petitions spoken of by the Authour, is evident by *Tacitus* in the Life of *Agricola*; speaking how easily the *Brittish* Princes were overcome by the *Romans*; saith he, *It was because they did not consult with their Common-Council.* Time by th' Events hath Reproved that mode of Petitioning; for it was the occasion of the claiming of a *Negative Voyce*, unto which the Kings had no Right at all.

But it may be Objected, That an Attorney hath a Negative Voyce, Why should nor the King also have the same? To which



which I answer, That one that is not bound by his Office, 'tis true, may refuse to accept of that Authority, and omit the Execution thereof: In this case, you may Elect another Attorney. The King was bound by his Office to execute the Lawes; it was below the Commons to pray any thing of him; they did but betray themselves in so doing. The words of the Oath of the Coronation are expressly these; *I do swear to Govern according to such Lawes as the People shall choose to be Governed by*: And therefore when he refused so to do, the Commons might have laid him aside, and elected another; for either his doing more, or for his doing less, then he ought to do. To prove this, I shall give an Instance out of what hath been written by Mr. *Will. Prynne*, (one that the Authour hath a very high Esteem of; but it is for his last depraved writings, in which he hath laid aside his Reason, and onely exerciseth his Passion, as may soon be discerned by comparing his late Railing, wording, and unreasonable works, with his former Laborious and praise-worthy writings) in his *Sovereign Power of Parliaments*, as in the 4th Part. page 201. *Kings* (saith he) *are of no more Divine Institution; then any other Inferiour Magistrates, Officers, or Princes whatsoever; the Scriptures do abundantly evidence, that they are questionable and Censurable, and deposable for their Tyranny and wickedness*. Also a little farther, from a Case stated touching the Clergy, he doth infer, *That the King may be executed also*. Other proofs to this Assertion I could produce, but I suppose he will take it better from his hand then any other.

Page the 2d. This Authour describeth the power of Parliaments to consist,

1. In making Lawes for the good of the people.
2. According to the Ancient Custome.

First, from hence he concludeth, *That the Parliament are not to make Lawes to undo the People, nor perpetuate Heavy burdens*: There is no man that is in his Wits will say otherwise;

wise; and no doubt but the *Parliament* will do otherwise; this Authour cannot charge them as yet with that. 'Tis true, that the charge of the late War hath been heavy; that the Care of the management of the War prevented them of settling the Government of the Nation; that they should dissolve before, is unreasonable to expect: besides, their own Vote hath decided that Controverſie, viz. *That this Session shall determine, May, 1660.*

Secondly, he ſaith, *That they are to Govern according to the Ancient Cuſtomes of this Realm, that is, to joyn with their Fellows, not to Govern Peremptorily and ſawcily.* What thoſe Fellows are, the Author mentioneth not: that their Fellowes ought not to ſubmit to Acts againſt Reaſon, that is true; it is the Reaſonableneſs of a Command, that carrieth the Authority along with it, and produceth obedience; it is for that, for the which it is to be given obedience unto: thoſe Commands that are unreasonable, are to be reſiſted. The Author here doth ſeem to conclude, That the Expelling of ſome of the Members is unreasonable; the taking the King away, is unreasonable; the changing of Government, is unreasonable, and the like. He further ſaith in the Sect. *That the People did Intruſt the Parliament onely with Advizing with the other Eſtates; and that the ſaid Truſt did not Impower them to lay aſide the other Eſtates:* That may be eaſily answered by this known Maxim, *Salus Populi Suprema Lex.* When that the other Eſtates by their corrupt Intereſt did become a barr to the Peoples ſafety, they might be laid aſide by the Truſtees of the People, and thoſe Truſtees may exerciſe the Supreme Authority, as in the Caſe aforemention'd, made uſe of by Mr. *Prynne*, in his Asserting the *Sovereign Power of Parliaments*; That the King may be depoſed by Authority of Parliament. *Edward* the ſecond, of *England*, was depoſed by Parliament; and *Edward* the third Elected in his room. Our Author citeth the Caſe of the Abbots being Expelled their ſitting in Parliament, and ſlightly mentioneth

mentioneth the Expulsion of the Bishops late being expelled their sitting in Parliament: this was done by the three Estates. They were Members of the Parliament, it cannot be denyed, according to ancient Custome, and of a distinct qualification from the other Estates, they being the Head of the Clergy: Now if that the Clergy may be expelled and excluded from having a share of Supream Authority, why may not the Nobility also, as well as the King and the Clergy, when any or all of their Interests shall be found inconsistent with the Interest of the Publike? and more especially when their Interest is grown to that heighth, that the preservation of it must be the destruction of the publike.

He further putteth a Case of a Bayliff; The which case would hold, if it were onely in behalf of private Interest; but where there is publike Interest on foot, it will not hold. Rules of Law can live onely in time of Peace; but, upon War and Change of Government, Necessities of State must and ever did over-rule. If the Bayliff taketh other mens goods, and keeps them for his own, he erreth: Yet notwithstanding the unsuitableness of the Case, it serveth thus far, viz. If the *Parliament* being intrusted with the Supream Power, shall take upon them that power to their own profit, and not Communicate it for defence of publick good, then they do that which is besides the intent of their Trust: But on the contrary, if they do otherwise, they do according to their Trust; for they have no other Rule to walk by, nor limitation, than The preservation of the People. And the same may be said to that which he reckoneth up amongst the Transgressions of the Times (The Parliaments Turning out of one half of themselves) that, as for several Just Reasons of State, & good preserving policy, Abbots, Priors, Bishops, Lords, nay Kings, may be expelled the Councils of Legislators, when their Interest doth not consist with publick Interest, which is the end for which they received their being:

So.



So when the one half of a Council shall conspire against the other, either to overthrow the Interest of the publick, or to obstruct the settlement of Affairs, they may be lawfully Expelled. There is none are so absurd to think, That if one or two of the Members should consult or conspire against the Common good, but that they may be expelled, nay further prosecuted: If so, it will hold good also in a greater Number: Is it not lawful for the lesser part of the power to oppose the greater in that which is evil? It hath been known, that the greatest part of a Council hath promoted wicked Counsel? Is it not then lawful for the lesser and better part to betake themselves to such means, as may prevent the putting in execution of such wicked Counsel, and vanquish them if they can? The Law is made onely to Rule people in their distinct and private Capacities; and not in the Capacity of them all together, considered as one; In this case, what shall be a Law unto them? That is not a Law, that cannot be administred in such kind of Emergencies of State; Lawes and Prescriptions cannot be Rules to act by; nay in several private small petty Contracts, Title, and the like, there doth (every Term) arise so many Intricacies and Riddles, that all the Gentlemen of the Long Robe cannot determine (but *hab Nab*, as my Lord *Richardson* once said) by all the Records, Statutes and Cases, that are Extant. Would our Authour then have so high proceedings as these so many vast Interests to be considered as in this case, to be made parallell and determined by the Example of a Case of *Thomas Mouse*, and *William Frog*, as he doth of a Case between *J. S.* and *J. N.* nothing to the purpose in hand.

He bringeth in another Case, *viz.* the Judgment of Judge *Rolls*, and Judge *Ask*, in Mr. *Streater's* Case, that discontinuance of a Parliament is a dissolution; also he further urgeth his Assertion, That the Parliament is no Legal Parliament, because it determined by the death of the King;  
and

and because that *Oliver Cromwell* did summon other Parliaments, the People did thereby Re-assume their authority, and withdrew it from the present Parliament. To this I answer, That it was no discontinuance at all ; For suppose that the *Parliament* were Sitting, and by reason of Fire or other Accident, they should be disturbed and Interrupted, that they should all fly the House without Adjourning, untill the next day ; would this be a Dissolution to that Session ? No verily ; for although it be a Custom for them to continue their Session by adjourning ; in such a case, the Necessity of Affairs requiring their present service, they may Sit and Execute their power ; and it will be as good as if they had adjourned : for adjourning is but a Circumstance ; and if the not performing of a Circumstance, should be a forfeiture of the power, when it is occasioned by some force or accident, it would be monstrous strange, and not in the least to consist with Reason ; besides, the Kings death cannot occasion the Dissolution of this *Parliament*, because of that Act which the Authour ingenuously mentioneth ; which is, *That they shall not be dissolved without their own Consents*. That *Parliament* of *Edward* the second, did depose him ; after which there was an *Interregnum* ; he was dead in Law, yet the *Parliament* during that *Interregnum* do Invest *Edward* the third with the Kingly Office ; which was an Exercise of the Supream Authority in them in that Interval. I grant, that when there was no pressing Reasons of State for so doing, *Parliaments* did look upon their determination, at the death of the King.

King *Henry* the sixth was not crowned untill the eighth year of his Reign ; yet in the 1. 2. 3. 4. 5. and 6th years of his Raigh, divers *Parliaments* were holden : the Judges of the Land did then Resolve, That formalities must be dispensed with in great Actions that are above the Law ; Provided, That it be for the good of the *People*, and not to their Hurt : Punctilio's of Law are to be duly observed in *Morum*

& *Tuum*, and for preservation of Publike peace; but they cannot in great *Actions of State* be alwayes observed, because New matter and Occasions arise daily, for which there is no Rule or President to act by. As to the *Peoples* Re-assuming their Authority, by Electing Other Representatives, and granting their Authority to them; in this case, the Argument is not of Force: For that all the Conventions that General *Cromwell* called, were filled with Factions, by which means the Work of Settlement was obstructed, as was evident; and a private secret Game a playing, to Re-establish the *Stuarts* Family: To prevent which, and for obtaining Settlement, there was no means left, but the again-Sitting of *This Parliament*, who were the only Council fit to go on with the work of *Settlement*; for that they were best acquainted with the *Reasons of State* which was the ground of all the *Changes*. And all other Assemblies drove at a *Single Person's* Interest: A Constitution (considering the present Condition of the Nation) altogether tending to the Ruine, the disturbance and unquiet thereof:

First, for that the War, lately made in defence of the *People* against the King, did occasion so great an alteration, as the taking off of the King, and divers of his Friends; therefore it was not safe to call that Family again to the Supream Trust, because it naturally would wait for opportunity to Revenge; and cast about to hold the *People* in more servitude than ever they were in. If those who had the power in their hands had done so, the Authour would have taken occasion to have laugh'd at them; whereas now he railleth. It's natural for all, to study their own preservation; and when they endeavour the preservation of others also, they do their Duties.

Secondly, It was not safe to Intrust the Supream power in the hands of any other person of another Family; for that would but Assert the *Stuarts* Title, and make his work more easie for to attempt the Supremacy; It would be more easie



ease for him to claim against another *Single Person*, than to claim against the whole *People*.

Besides, *England* is so divided by *Factions*, and hath been prevented in its *Expectation*, that if any one *Interest* should get uppermost, and be able to promote any other *Government* then a *Free-State*, the severall *Interests* cannot be so *Equally* respected and preserved: There is no *Government* else that is adorned with *Impartiality* besides this.

If it were so, that there had not been those *Regularities* observed, and those *Circumstances* performed, that in a time of orderly peace is used and observed, and that their power be not according to the *Exactness* of Rules; yet if they do the good pretended, and we attain to a settled *Government*, our Authour saith himself, he will give his *Vote* for them: in which he sheweth a generous mind; and had been worthy of praise, had he not immediately before those lines, page 11. imitated Mr. *Prynne* in his Language. I will take notice of one of the modestest of his Expressions; *These things* (saith he) *are done by Un-authorized and Inferiour spirits, such whose whole practices have been no other but Contradictions.* Our Authour should here consider, That the *End* Crowneth all Noble Actions, and that he cannot yet make a Judgment of the Event of Affairs.

Our Authour's second *Quære* is, *whether as things now stand, it is likely we shall compass the design of setting up of a Free State?*

He saith, That the grounds and Inducements to this *Quære* are,

1. *In respect of those that are to do it.*
2. *As to those that would do it.*
3. *In respect of the thing it self to be done.*

As to the *Persons* that are to do it, he saith, meaning the *Parliament*, he will warrant they shall not stand. His reason is, That they do not understand what a *Free-State* is; and that they are like a *Ship* under sail without a *Pilot*. By his favour,

he is not a little mistaken in that Observation. A *Free-State* had been settled long before their Interruption, but for the Care of the War, the striving against *Factions* in the House that were corrupted, and bribed, to betray the Nation into the hands of the *Stuarts*. They do understand what a *Free-State* is; and a *Free State* might now be speedily settled, but that they must Consult all Interests, and equally preserve all parties; which is a Work worthy of their Care and Wisesomes, and will take up time: The Especial good over ruling Providence of the Almighty must be their Pilot; their Wisdome must be the Helm; and their Counsels must be their Sailes; their Deliberations must be their Anchors; the several Interests of the Nation they are to Respect as Land-marks: They have shewed themselves able in the service of the *Commonwealth*; they managed the late War with as much Wisdome as ever any Council did manage a War. They, by their wisdom, attained to a considerable Reputation abroad amongst other Nations; and therefore they are the onely persons that are fit, and that ought to settle the Nation.

2. As to the persons that would do it, our Authour saith, *It is the Army. And* (saith he) *was there ever a durable Government established by an Army? And do not the Men at Westminster serve the Army, as the men on the Clock in Westminster-Abbey serve the motions in the Clock to strike, when they direct?*

That Governments have bin first Instituted by Armies, is evident; nothing of so great concernment hath bin more frequent then that hath bin; all Governments just and unjust are defended by Armies: such Armies have not bin of use to a Publick, that relie not upon Council; That the Army taketh upon them the Mastery over the Parliament, there is nothing more evident than the contrary: True it is, that the Army hath at several times made use of their Authority to poyze the Affairs of the Nation; the which if they had

had not done, all things had bin now running in the old Channel of the *Stuaris* Interest : such a thing no doubt but our Authour would have. But the Army have that wisdom, that they will not render the so many years of Warrs abortive, to bring forth nothing but a return to the misery and bondage we were like to be under: but on the contrary make good their footing, now obtained, against all Absoluteness, Arbitrariness, and Tyranny. If he meaneth that the Parliament serveth the Army in hearing of their Addresses or Petitions: surely the Army have a right in petitioning for those things that shall tend to Settlement and quiet. The Army took up arms not as Mercenaries, but as members of the Publick, having an equal share in the Interest of the Nation. They had betrayed the Nation if they had layd down their Arms, and let all have fallen into the hands of the late King, who was not tender of his people's good and quiet, but for the advancement of his own Interest, making War, and is overcome, and in hold: out of which condition he is to be re-invested without being brought to account for any one irregular Action of his in Government, and refusing to Govern the Nation according to the advice of his great Council the Parliament. The War being ended, the King being still obstinate, the Parliament are to seek a way and meanes how and where to secure the Interest of the Publick, otherwise then by or with the King; they cannot do it without an Army standing by them. They the better or the greatest part of them have from time to time had occasion to call to the Army for help against the enemies of Settlement within the House: as at that time when the Speaker did flye the House, one part of the House invited down the Reformado Officers and rude Rabble about the City of *London*, who did lock up the House, and forced them to vote what they pleased; the other part of the house fly to the Army, from whom was to be expected more good then could be from a multitude,



in regard they were under Authority moved by Order and Council; who did march to *London*, guarded the forced Members to the House, and excluded the others that countenanced this popular faction, against the Interest, peace, and quiet of the *People*. Our Author is to understand, that disturbances boyled-up by Factions in a Common-wealth, is like to a Storm at Sea: in which the skilful Sea-man must furl his sails lower, louse his masts, lash his helm, close aboard, and lye at Try; He cannot say by his Compass, nor keep account what way his Ship maketh. So even it is with a Parliament or Army; they cannot, untill the distempers of factions be allayed, and designs cease, which cause Storms, Harracanes and Concussions by War. The Sails, Formalities, and prescriptions must be taken in; the Masts, the Laws, Loured; in such times, formalities and order, and Law, must be dispenced with. Will you bring an action of Trespas against an Army of horse for entring upon such a Medow, and feeding, trampling down and destroying your Grasse? Was it an orderly thing according to Law, that *David* did in sending command to *Nabal* for provisions for his Forces? I mention this only to evince what is afore asserted, that Law is fited for time of peace and quiet: and that such actions that are and may be necessary and tending to preservation in time of War, may be against Law made and fited onely for peace: And therefore though it be not so Regular, it may very well become the Army to declare in what case they will stand by the Parliament. It cannot be accounted to be an appointing or a cutting out of work for the Parliament by the Army, but on the contrary their duty. An Army is not above Law, because that the necessary execution of things relating to the duty of an Army, is of that high nature that it cannot come under the execution of the Laws of a Nation; therefore in such cases where the necessities of their affaires of trust require them to intrench upon that Law, they usually are Indemp-

nified

nified and pardoned, as in that of Indempnifying of the Army of *Henry* the 7th, in the War against *Richard* the 3d (cited by Mr. *William Prynne*, who is an Author much in credit amongst the dissatisfied) in these words: *In which battle though it was just, and no Treason nor Rebellion in point of Law in those that assisted Henry the 7th against the Usurper, yet because the killing of Men, and the seizing of Goods in the time of war, is against the fundamental Laws of the Realm, there needed an Act of Parliament to discharge them from Suits and Prosecutions for the same.* 3. part. *Sovereign Power of Parliaments*, page 45. By all which it appeareth that an Army though they are not fit Instruments to settle the Government, yet they are fit Instruments to ayd the settlement of Government. And to this end and purpose, Princes and Councils, may all Legislators ever did make use of them? What the Army hath done in this particular, is no more then their duty; they do not take upon them the settlement of Government, but dutifully do adhere to the Supream Authority of the people assembled in Parliament, unto whose Judgment, Wisdom, and Authority, the Army submitteth.

Again, saith our Authour, *Durst they do anything contrary to the mind of the Army?*

Have they not answered that Quære, in their taking upon them to give Commissions; the which is a thing of no small Magnanimity. Our Authour is not acquainted with Poliricks, he hath read *Cook* on *Littleton*, a good Authour, (I do not mention him for any disrespect) he describeth very Judiciously, the Common-Law upon severall Tenures; which is a thing certain. For these kind of Cases, our Authour should read *Grotius* and other such like, who will tell him, That a Supream Power is Imprudent, if they Impose or Command any thing that will not be Obeyed; or that which with difficulty they shall obtain to be obeyed: also that they should diligently observe what a *People* or an *Ar-*  
my.

my would have, that, if possible, they may grant or give before it be asked. A Supreme Power loseth much of their authority, if the Good which they ought to do, be forced from them. It was in such like points of the *Politicks*, that the late King lost himself, contrary to the advice of his best Council, who advised him to grant what ever the *People* or *Parliament* desired.

Lastly, our Authour hath put his third *Quære* thus, *Whether in respect of the thing it self we are likely to attain to a Free-State?* He saith himself, *That if by a Free-State, be meant the enjoying of Liberty according to Magna Charta, chap. 29. to preserve Interest, Property, and Liberty, he himself will be for that sort of Government.*

Our Authour here hath betrayed his Ignorance, and want of knowledge of a *Free-State*. For his better Information, A *Free-State* is the Ruling of the *People* (by Turns) by Laws that are Superiour to private Interest, that may preserve all; it is the very thing that he desireth. These things are with great difficulty and danger obtained, defended or preserved in a *Monarchical Government*, or in any other than in the *Government of a Free-State*. For those *Princes* and *Senates* that are standing and perpetual, govern well no longer then they see it is for their Interest so to do; The Republick is not one jot beholding to them for it. When they mistake themselves in their principles of Policy, and do that which is to the detriment of the *People*, it is then apparent; As when a wicked Prince, or a wicked Council and a foolish Prince is in power, they do much Hurt to the *People*; when you have good from them, it is but for their own sakes: Therefore some *Princes* and standing *Senates* are good, not naturally or willingly, but prudentially; they see it is best to be good. A *Free State*, governed by *Annual Representatives*, is Naturally good, it cannot be bad; for that no one can obtain in such a Government opportunity to do Hurt: and it behoveth every one of them to do all the good they can, in regard



regard they must Return to a private state and Condition, in which they shall participate and be sharers of the good they have procured, or been parties in ordaining. So that whereas it indeed is the Interest of other Governments to procure or permit some good to the People, not for the sake of the People, but for their own sakes; as is demonstrated by that Aphorism of *Machiavel* in his *Prince*, viz. *Deal out the good thou intendest to the People but by morsels, to keep their mouthes in taste the better.* This doth procure to the People all the good that can be procured, and preventeth all the Evil that can be prevented: and alwayes when it faileth, it is because that some ayme at Supremacy, & perpetuating themselves, who corrupt and poyson Councils; which may be discerned several wayes.

Our Authour towards the End, maketh himself merry with Mr. *Harrington*; saith he, *Mr. Harrington speaking well of a Commonwealth, would fit and Calculate it for our Horizon, because it suiteth with other Nations.* In answer to this, he saith, *That the Government and Lawes are suted to the Constitution of the People.* Then which, nothing is a greater Errour; for that the *Government and Lawes* are not fitted to the nature of a People; but on the contrary, they are fitted to the Interest of the People, if they be powerful; and to the Interest of the *Princee or Governours*, if they are more powerful and ambitious. As for Example; Our Statute Law of *England*, it participateth and savoureth of the Interest by which it was Instituted: Even as water retaineth a Tincture of the Minerals they pass thorow: So that what was Enacted in one Prince's Reign, was Repealed in his Successours. If you let *Private Interest* grow, it will endeavour to have share in the *Government*, and fit and sort things for its Consistency; and this our Author calleth *Nature*; when it is no other than *Interest*, begotten by *Opportunity* and other Accidents. That a *Commonwealth* may be Governed as Mr. *Har-*

*rington* describeth, is certain; nay, *England* it self: But the *Interests* on foot in the Nation maketh it Incapable: Therefore such a Government must be made choyce of, that may best fit the Interests. Some Legislators have been so subtile, at this Work, that they can Incorporate (like good Alchymists) several Mettles into one body. If a People were to leave their own Habitation, and seek another Country, as the People of *Israel*; then it is easie to Institute the purest Constitutions of Government, because their Interest bears all one Date, and they receive their Stations by Lot. There is no people in the World, but are apt and fit to receive any sort of Government, untill Interest hath unfitted them.

That the People of *Englands* Constitution is fitted for Kingly Government, it is Ridiculous to alledge. If our Authour had said, That the Long Continuation of Kingly Government in this Nation had created so many Corrupt Props and Pillars to support its dignity, that were like so many Sores and Phistula's to the Nation: the taking away of which on a suddain, would be something against Nature; though it was a burden to Nature, and a Disease; as of Phistula's to be cut out of a man's Arm, or other part on a suddain, it doth indanger the Patient; but apply to it Medicines to rowl and disperse the contagious Humours, then cut off the head of it, or make an Incision into it, you cure the Wound, and save the Patient. The like operation hath been followed here, our Authour well knoweth: and it is a Cure according to Art, if our Chirurgion do cleanse and fortifie the part so, as that no one Humour do predominate, but that all may equally perform their several Offices: The predominancy of one Humour over another, is the cause of Diseases; and the Diseases participate of the Causes, and are of that Triplcity.

Our Author is much heightened in his Expectation of the Fruits of an Oligarchy or standing Senate ; he is of Opinion, That it's the readiest way to bring about the Re-establishing of the Interest of the *Stuarts*. Here he discovers his secret Reasons of State, as he doth in his Conclusion ; Where he adviseth all that are for *Charles Stuart*, to be quiet, and make no resistance : For, (saith he) *If you find them an Enemy, you give them occasion to Unite ; but to let them be Idle, they will disunite and break ; nay fight one with another.* For this Discovery, I would have the Author made a Privy Counsellour, when *Charles Stuart* attaineth the Supremacie ; but not till then. Now for preventing of this subtile Stratagem, it is not according to good Rules to discover, and therefore it shall be waved.

---



## Appendix.

I Shall here add one word or two to answer a ridiculous Pamphlet Intituled *Englands Confusion*, in which the Author exerciseth the Art of defamation against the worthy Patriots of our Country, and since he onely doeth it by Canting Language; it is below any sober pen to take notice of it, onely one, viz. the Lord *Fleetwood*, who the Author sayeth that goodly man, who so smoothly supplanted the Protector, and perswadeth him that three Crownes were not worthy a drawn Sword. Grant what the Author sayeth, and it shall afford sufficient matter of defence to that Noble Person who hath given ample Testimony of the love he beareth to his Country: *Augustus Caesar* who had the Art of well-Governing (which is seldom attained to by Princes) once upon meditating of the corrupt and depraved condition of mankind, the abominable abuse of flatterers in the ears of Princes, the inclinableness of Princes to hearken to them, to the detriment of a People; saith *Suetonius*, he fearing future evil, intended to resigne his absolute Power, and free his Country: but saith *Tacitus* I know not why he did not do it, unless it were out of an ambitious mind, foreseeing who should be his successor; to wit, *Tiberius*; perceiving his wicked nature, it would beget a higher opinion of his vertues and worth, *Augustus* miscarryed in this point, if he had delivered his Country it had bin much more honourable in him, then to leave for his Successors, such abominable Tyranny as after him attained to the Empire: The Lord *Fleetwood*, although he had  
the

the same opportunity that General *Cromwel* made use of to another end and purpose, makes no use of it, to set up himself, but to restore the detained Liberty of his Country: for which, who can complain, unless it be such as designed a continued Tyranny, and to have share of it as to Power, or at least to be respected as principal props to it: I mean as to Religion if that kind of Monarchy had bin continued, it must have fallen in with some perswasion or other, it would not have long continued without: then all Honors, Profits, Power and Trusts must have run in that Channel; which would have produced persecution and changes of the Government, and much detriment to those perswasions who had refused: Liberty of conscience is defended and secured better in the Government as a Common-wealth, then in a Monarch. Liberty of conscience is a thing desired by all Episcopals, Presbyterians, Independents, Anabaptists, and others, they desire it to themselves, but are not willing to part with the like to others: observe the rise of any opinion at first, It will cry and plead for Liberty of conscience: but when it is grown to number, strength and power sufficient to preserve it self, it then thinketh it self not safe, but in the discountenancing, contending against, endeavouring the suppression and ruine of all other perswasions: it is neither salvation nor damnation to be of this forme, or that of any of the aforementioned perswasions; Salvation cometh by the free grace of God in Jesus Christ, adorning the Subjects of that mercy with the Ornaments of Repentance, to newness of life, and holy and obedient walking.

The Professours of Religion of late have lost much of the power of godliness, by putting so much stresse upon the formes in which more are busied, in defending and asserting them, in putting in practise the duty of a holy life, which shall afford more comfort at the last day, then the defending or being of this or that opinion.

Now

Now if the Lord *Fleetwood* and the Army did wrest the Authority out of his hands (of whose right I here shall say nothing), as would have made use of it by promoting one perswasion against another, in opposition of all other; since it is our unhappinesse to be devided, did they not do their duty, and performe a kindnesse to the rest, and to the whole Nation, doing of that, together with restoring of the Nation, and making of it a free People. If it were so, that the Lord *Fleetwood* did perswade the Protector *Richard* to Resigne, he did but his duty in so doing as to *Richard* himself: for that the constitution of his Government could not long consist; it was loaded with so much absoluteness, and contradictions all that could be expected from it, was the making way for the coming in of the *Stuarts* Family; by increasing the absoluteness of the Protectors power, above whatever any Kings of *England* were invested with, to the insupportable detriment of the People, who would have received the *Stuarts* upon the first offer, on the terms that Kings formerly held their Crownes in this Nation; and that all the Royalists knew well enough; and therefore most of them were Promoters of this designe, which was the onely effectual way, nay more effectual and certain then by Armies; the which by preventing, hath secured *Richard* from those dangers that would have unavoidably fallen upon him by continuing in the Power, or upon any such Change.

As to the Lord *Fleetwood*'s telling *Richard*, that, *Three Crowns was not worthy a drawn Sword*; *Charles* the Fifth, after he had worn the Emperial Diadem many years, gave Lawes to the greatest part of Europe; left his Power, as not worthy his holding of it longer. So did several other Kings and Princes, and betook themselves to a Monastical life, and despised and scorned their Dignity.

Our Authour would have had the Lord *Fleetwood* given him such Advice, as *Philistus* gave *Dionysius* the Elder, Tyrant



rant of *Syracuse*, he being in extreame danger by reason of the Peoples Discontents; saith he, *Dominion is a thing worthy of a man's running all Hazards to attain; and if he attaineth it, let him hold it: and if he perish, let the Ruines of his Countrey be his Tomb.* Which advice *Dionysius* followed, and brought great Waste upon his Countrey. If the Lord *Richard* had continued his Title, and the *Stuarts* could have at any time by power of Arms been able to claim his pretended Right, what Waste and Ruine would it have brought upon *England*? All that have read History are able to judge, by the distinct Claimes and Titles of the Houses of *York* and *Lancaster*: This would have been *Englands* Confusion indeed; what else that the Authour of this *Englands* Confusion treateth of, is not worth the taking notice of; they are fully answered in the *Continuation of this Session of Parliament Justified*, to wit, That the present *Parliament* are disobliged of all their Declarations and Covenants, and Engagements, in as much as he refused to submit to those *Rules of Government* as the *Parliament* propounded for His and the Nations safety: and that in his taking up of Arms, and being vanquished, he forfeited his *Right of Government*, and thereby put himself into a private Capacity: unto which I refer the Reader; where satisfaction will be given in the aforementioned Particulars.

FINIS.

The first of these is the fact that the  
the second is the fact that the  
the third is the fact that the  
the fourth is the fact that the  
the fifth is the fact that the  
the sixth is the fact that the  
the seventh is the fact that the  
the eighth is the fact that the  
the ninth is the fact that the  
the tenth is the fact that the  
the eleventh is the fact that the  
the twelfth is the fact that the  
the thirteenth is the fact that the  
the fourteenth is the fact that the  
the fifteenth is the fact that the  
the sixteenth is the fact that the  
the seventeenth is the fact that the  
the eighteenth is the fact that the  
the nineteenth is the fact that the  
the twentieth is the fact that the  
the twenty-first is the fact that the  
the twenty-second is the fact that the  
the twenty-third is the fact that the  
the twenty-fourth is the fact that the  
the twenty-fifth is the fact that the  
the twenty-sixth is the fact that the  
the twenty-seventh is the fact that the  
the twenty-eighth is the fact that the  
the twenty-ninth is the fact that the  
the thirtieth is the fact that the  
the thirty-first is the fact that the  
the thirty-second is the fact that the  
the thirty-third is the fact that the  
the thirty-fourth is the fact that the  
the thirty-fifth is the fact that the  
the thirty-sixth is the fact that the  
the thirty-seventh is the fact that the  
the thirty-eighth is the fact that the  
the thirty-ninth is the fact that the  
the fortieth is the fact that the  
the forty-first is the fact that the  
the forty-second is the fact that the  
the forty-third is the fact that the  
the forty-fourth is the fact that the  
the forty-fifth is the fact that the  
the forty-sixth is the fact that the  
the forty-seventh is the fact that the  
the forty-eighth is the fact that the  
the forty-ninth is the fact that the  
the fiftieth is the fact that the  
the fifty-first is the fact that the  
the fifty-second is the fact that the  
the fifty-third is the fact that the  
the fifty-fourth is the fact that the  
the fifty-fifth is the fact that the  
the fifty-sixth is the fact that the  
the fifty-seventh is the fact that the  
the fifty-eighth is the fact that the  
the fifty-ninth is the fact that the  
the sixtieth is the fact that the  
the sixty-first is the fact that the  
the sixty-second is the fact that the  
the sixty-third is the fact that the  
the sixty-fourth is the fact that the  
the sixty-fifth is the fact that the  
the sixty-sixth is the fact that the  
the sixty-seventh is the fact that the  
the sixty-eighth is the fact that the  
the sixty-ninth is the fact that the  
the seventieth is the fact that the  
the seventy-first is the fact that the  
the seventy-second is the fact that the  
the seventy-third is the fact that the  
the seventy-fourth is the fact that the  
the seventy-fifth is the fact that the  
the seventy-sixth is the fact that the  
the seventy-seventh is the fact that the  
the seventy-eighth is the fact that the  
the seventy-ninth is the fact that the  
the eightieth is the fact that the  
the eighty-first is the fact that the  
the eighty-second is the fact that the  
the eighty-third is the fact that the  
the eighty-fourth is the fact that the  
the eighty-fifth is the fact that the  
the eighty-sixth is the fact that the  
the eighty-seventh is the fact that the  
the eighty-eighth is the fact that the  
the eighty-ninth is the fact that the  
the ninetieth is the fact that the  
the ninety-first is the fact that the  
the ninety-second is the fact that the  
the ninety-third is the fact that the  
the ninety-fourth is the fact that the  
the ninety-fifth is the fact that the  
the ninety-sixth is the fact that the  
the ninety-seventh is the fact that the  
the ninety-eighth is the fact that the  
the ninety-ninth is the fact that the  
the hundredth is the fact that the

F13(12)